

10/530951

RECEIVED  
CENTRAL FAX CENTER

APR 07 2005

Attorney's Docket 037003-0313914  
Client Reference: 2001-30-0178QUS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:  
KANDASAMY HARIHARAN ET AL.

Confirmation No:

Application No.: Unassigned

Group Art Unit: Unassigned

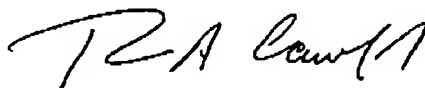
Filed: December 6, 2004

Examiner: Unassigned

Title: GENES OVEREXPRESSED BY CANCER AND THEIR USE IN DEVELOPING  
NOVEL THERAPEUTICSMail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450RECEIVED  
APR 7 2005  
OFFICE OF PETITIONSCERTIFICATION OF FACSIMILE TRANSMISSION  
UNDER 37 C.F.R. §1.8

I hereby certify that the following papers (a total of 20 pages including this cover sheet) are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on the date shown below:

- (1) Petition Under 37 C.F.R. 1.181(a) to Accord U.S. Application Number and Filing Date (2 pages)
- (2) Copy of Request for National Stage Entry Filed 12/06/04, including accompanying documents and USPTO date-stamped receipt (17 pages)

PILLSBURY WINTHROP  
SHAW PITTMAN LLPTHOMAS A. CAWLEY, JR., PH.D.  
Reg. No. 40944RECEIVED  
APR 11 2005  
OFFICE OF PETITIONSDate: April 7, 2005  
P.O. Box 10500  
McLean, VA 22102  
Telephone: (703) 905-2000  
Facsimile: (703) 905-2500

(Certification of Facsimile Transmission—page 1)

07-Apr-2005 16:05 From-PILLSBURY WINTHROP

703-905-2500

T-559 P.006/020 F-440

U.S. Patent and Trademark Office, DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL LETTER TO THE UNITED STATES  
 DESIGNATED/ELECTED OFFICE (DO/EO/US)  
 CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY DOCKET NUMBER  
 037003-0304261  
 U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

107530951

INTERNATIONAL APPLICATION NO.  
 PCT/US0318253

INTERNATIONAL FILING DATE  
 10 June 2003 (10.06.03)

PRIORITY DATE CLAIMED  
 10 June 2002 (10.06.02)

TITLE OF INVENTION  
**GENES OVEREXPRESSED BY CANCER AND THEIR USE IN DEVELOPING NOVEL THERAPEUTICS**  
 APPLICANT(S) FOR DO/EO/US Biogen Idec, Inc., et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.78.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Page 1 of 2

07-Apr-2005 16:06

From-PILLSBURY WINTHROP

703-905-2500

T-559 P.007/020 F-440

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICANT

INTERNATIONAL APPLICATION NO.  
PCT/US03/18253ATTORNEY'S DOCKET NUMBER  
037003-030426121. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1,100.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$950.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$790.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$750.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS PTO USE ONLY**

\$ 750.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	52 - 20 =	32	x \$18.00
Independent claims	2 - 3 =	0	x \$88.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$ 1,326.00

\$

Total claims 52 - 20 = 32 x \$18.00

\$ 576.00

Independent claims 2 - 3 = 0 x \$88.00

\$ 0.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$300.00

\$ 0.00

**TOTAL OF ABOVE CALCULATIONS =**

\$ 1,326.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$ 0.00

**SUBTOTAL =**

\$ 1,326.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ 0.00

**TOTAL NATIONAL FEE =**

\$ 1,326.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$ 0.00

**TOTAL FEES ENCLOSED =**

\$ 1,326.00

Amount to be refunded: \$

Amount to be charged: \$

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.b. ☒ Please charge my Deposit Account No. 033975 in the amount of \$ 1,326.00 to cover the above fees. A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 033975. A duplicate copy of this sheet is enclosed.d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Thomas A. Cawley, Jr., Ph.D.  
PILLSBURY WINTHROP LLP  
P.O. Box 10500  
McLean, VA 22102

SIGNATURE

Thomas A. Cawley, Jr., Ph.D.  
NAME

40944  
REGISTRATION NUMBER